

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LYNN A. MATWIJKO,

Plaintiff,

v.

ORDER
04-CV-663A

BOARD OF TRUSTEES OF GLOBAL
CONCEPTS CHARTER SCHOOL, et al.,

Defendant.

The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On August 3, 2006, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendants' motion for judgment on the pleadings be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, defendants' motion for judgment on the pleadings is denied.

The case is referred back to Magistrate Judge Schroeder for further proceedings.

IT IS SO ORDERED.

/s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: August 24 , 2006